JPME

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Edgar Omar KELLER-Canal** Defendant.	)	Magistrate Case No. '07 MJ 2505 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States

FILED 07 OCT 29 AM 9:11 CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY: DEPUTY

The undersigned complainant, being duly sworn, states:

On or about, **February 11, 2007**, within the Southern District of California, defendant, **Edgar Omar KELLER-Canal**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Gregory M. Harrison, Immigration & Customs Enforcement, Deportation Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS ~~24th~~ 29 DAY OF **October 2007.**

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
NAME: KELLER-Canal, Edgar Omar

PROBABLE CAUSE STATEMENT

As part of assigned duties of the Detention and Removal Office, Deportation Officers review various sources in order to check on aliens that have been previously removed from the United States. This is done in order to determine if subjects have returned to the United States, in violation of Title 8, United States Code, Section 1326.

I, Deportation Officer Gregory M. Harrison, declare under penalty of perjury, the following is true and correct:

On Sunday, February 11, 2007, the defendant identified as Edgar Omar KELLER-Canal was arrested by Officer Ahlers of the El Cajon Police Department and booked into county jail for violation of Penal Code 3056 "VIOLATION OF PAROLE". The defendant was determined to be a citizen of Mexico and an Immigration Hold placed pending his release from custody.

On Monday, October 22, 2007, the defendant was referred to United States Immigration and Customs Enforcement custody where Deportation Officer Gregory M. Harrison conducted record checks of the defendant's official immigration record and Alien Registration File. These sources of information indicate the defendant is a citizen and national of Mexico having been previously removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was issued an administrative removal and removed from the United States to Mexico on September 19, 2006 via the San Ysidro Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System "IDENT" and Automated Fingerprint Identification System "IAFIS" were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as Edgar Omar KELLER-Canal, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.

Based upon the foregoing information, there is probable cause to believe that Edgar Omar KELLER-Canal has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.

Executed on **October 23, 2007** at **10:15 a.m.**

Gregory M. Harrison, Immigration & Customs Enforcement, Deportation Officer

On the basis of the facts presented in the probable cause statement consisting of **02** pages, I find probable cause to believe that the defendant, named in this probable cause statement, committed the offense on **February 11, 2007** in violation of Title 8, United States Code, Section 1326.

United States Magistrate Judge

10/23/2007 at 11:13 a.m.
Date/Time

CPRS1326